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6  
7 **UNITED STATES DISTRICT COURT**  
8 **EASTERN DISTRICT OF WASHINGTON**

9  
10 **UNITED STATES,**

11 **No. 2:21-CR-00029-RMP**

12 **Plaintiff,**

13 **SENTENCING MEMORANDUM**

14 **v.**

15 **BOBBY CHARLES OWENS,**

16 **Defendant.**

## I. INTRODUCTION

On May 16, 2019, investigators reviewed a cyber tip line report that they had received from the National Center for Missing and Exploited Children (NCMEC). The report indicated Bobby Owens had used his Facebook account to communicate with CS, a 16-year-old female, for the initial purpose of purchasing pornographic images and then to have sex in exchange for money. Based on the messages back and forth, it appeared Mr. Owens knew CS and offered money for videos. Mr. Owens overcame CS's reluctance and she sent him pictures and videos of herself that she had previously made. Law enforcement later interviewed CS. She informed them that she and Mr. Owens had met twice. The first time she stroked his penis and he touched her vaginal area with his hands both under and over her clothing. He paid her \$80. They met a second time. Mr. Owens touched her vaginal area over her clothing for approximately five seconds. He paid her \$40 or \$50.

Mr. Owens pled guilty to attempted sex trafficking of a child between 14 and 18 years of age. He agreed to a 12-year term of imprisonment.

Mr. Owens asks this Court to accept the 11(c)(1)(C) plea agreement.

## 1 II. DISCUSSION

2 The Court is required to impose a sentence sufficient, but not greater than  
3 necessary to meet the sentencing factors set forth in 18 U.S.C. §3553(a). The  
4 Presentence Investigation Report notes §3553(a) factors that may affect this Court's  
5 consideration of the appropriate sentence – that Mr. Owens experienced a difficult  
6 upbringing, suffers from a mental health diagnosis, and has significant chemical  
7 dependency issues. Along with the facts and circumstances of his offense, Mr.  
8 Owens asks this Court to consider his history and characteristics to accept the  
9 11(c)(1)(C) agreement.

10 Mr. Owens' s story is one of childhood trauma, maternal neglect, substance  
11 abuse and extreme poverty. Mr. Owens' father died from gunshot wounds when  
12 Mr. Owens was four years old. For some of his childhood, he lived with his mother  
13 and his six siblings. There were many times when the family did not have enough  
14 food or electricity for their residence. When Mr. Owens was five, his mother began  
15 heavily using drugs. His mother became physically abusive, often striking them  
16 with electrical cords, hangers or whatever else she got her hands on. According to  
17 Ms. Nunley, a previous foster parent, their residence was filthy, had no heat, lights,  
18 food, and was a place for junkies to hang out. The welfare assistance the family was  
19 provided, did not make it to the children. By eight, Mr. Owens ended up in foster

1 care. By twelve, he was arrested for stealing a bike and entered the juvenile criminal  
2 justice system. For the next ten years, Mr. Owens was in and out of foster case,  
3 group homes, juvenile detention and couch surfing with family and friends.

4 It is not at all surprising Bobby Owens began drinking alcohol and smoking  
5 marijuana at the age of eight. He moved on to methamphetamine at 13, which  
6 became his drug of choice. At some point, Mr. Owens began hearing voices and he  
7 was diagnosed with schizophrenia. The voices made it difficult to function in a  
8 normal manner. In 2009, Mr. Owens was in a serious car accident, which resulted  
9 in surgery and screws placed in his hip.

10 At the time of this offense, Mr. Owens was heavily using methamphetamine,  
11 was in serious pain and was hearing voices. He was a mess. It was in this context  
12 that he crossed a line. He solicited the 16-year-old daughter of a family friend to  
13 send him sexual images and videos. He then solicited her to engage in sexual  
14 contact. It is behavior he regrets. He regrets putting CS in this position. He regrets  
15 hurting his wife and children. He does not have a history of this type of behavior.

16 Mr. Owens wishes to receive treatment for his drug addiction. While he has  
17 previously gone through treatment in prison, he believes he is in seriously need of  
18 drug treatment. While in the Spokane County Jail, he has begun taking medication  
19 to deal with his schizophrenia that dampens the voices and allows him to function.

### III. CONCLUSION

Based on the foregoing, Bobby Owens asks this Court to accept the 11(c)(1)(C) plea agreement and impose a twelve-year term of imprisonment.

Dated: October 20, 2022.

## Federal Defenders of Eastern Washington & Idaho

*s/Andrea K. George*

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## SERVICE CERTIFICATE

I certify that on October 20, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System. A copy will be emailed to Assistant United States Attorney: David Herzog.

*s/Andrea K. George*

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